

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Condonation of break in service from March 2001 to February 2002 i.e. from the date of termination to the date of reinstatement in respect of Sri S.Chandrasekhar, Multi Purpose Health Assistant (Male) and 17 others – Orders – Issued.

HEALTH MEDICAL AND FAMILY WELFARE (J2) DEPARTMENT

G.O.Rt.No. 1077

Dated 11.08.2008

Read the following:-

- 1.From the DH, A.P., Hyderabad, Lr.Rc.No.20343/E4.E/03, dt.6.1.05
- 2.Govt.Memo.No.23379/J2/03-6, dt.1.10.2007.
- 3.From the DH, A.P., Hyd., Lr.Rc.No.20343/E4.E/03, dt.26.10.07.

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ORDER:

In June 1999 a notification was issued for recruitment of Paramedical staff of Multi Purpose Health Assistants (Male) against 55 vacancies. The qualification prescribed was one year Multi Purpose Health Assistant Training course from an Institution recognized by Government of Andhra Pradesh. However, the candidates who obtained certificates of Multi Purpose Health Assistant Training course from Private Institutions have also participated in the process of selection. But, 37 candidates who obtained training certificates from Government Institutions were only given appointment orders. Subsequently, as per the orders of Andhra Pradesh Administrative Tribunal dated 8.11.1999 and 15.11.1999 in O.A.No.6567/1999, the remaining 18 candidates who stood in rank and who have obtained certificates from Private Institutions were also given appointment orders. While so, the candidates who have obtained certificates from Government Institutions and stood below the rank of private candidates approached the High Court by filing W.P.No.24701/1999 and obtained orders for their appointment by suspending the orders of Andhra Pradesh Administrative Tribunal dated 8.11.1999. Accordingly, the services of 18 candidates appointed subsequently pursuant to the Tribunal orders were terminated in order to accommodate the candidates who came from Government Institutions. However, in the wake of subsequent orders of Andhra Pradesh Administrative Tribunal dated 1.8.2001 in O.A.No.3265/1999, they were given placement.

2. Sri S.Chandra Sekhar and 17 others have represented for regularizing their gap period from March 2001 to Feb 2002. The Director of Health, A.P., Hyderabad in his letter 4th read above has also recommended for the same

3. According to FR.26(a), all duty in a post on a time scale counts for increments in that time scale and as per Note (1), an officiating Government servant who has no substantive appointment and who has been discharged from service cannot count non-continuous officiating service for increments in a time scale. But as per Note (2), the break in service caused by his discharge under Rule 8(a)(iii) of the State and Subordinate Service Rules shall be condoned so as to enable him to count for increments the service prior to the break.

(P.T.O.)

4. The services of Sri S.Chandrasekhar, Multi Purpose Health Assistant (Male) and 17 others were terminated by virtue of High Court directions dated 2.8.2000 in WP.MP.No.31107/99 in W.P.No.24701/99 with CC.No.625/2000 and they were subsequently re-inducted into service based on the orders of the Hon'ble Andhra Pradesh Administrative Tribunal dated 1.8.2001 in O.A.No.3265/1999 and batch. As such, the break in service of the individuals has occurred due to court orders but not otherwise.
5. The Government after careful examination of the entire matter have decided to condone the break in service in respect of Sri S.Chandrasekhar and 17 other Multi Purpose Health Assistant (Male) i.e. from March 2001 to February 2002 treating it as a special case duly relaxing Note 2 under FR 26 (a).
6. The Government, therefore, in relaxation of Note 2 under FR 26(a), condone the break in service from March 2001 to February 2002 in respect of Sri S.Chandrasekhar and 17 other Multi Purpose Health Assistant (Male) of Mahabubnagar District as a Special case.
7. This order issues with the concurrence of Finance (FR.II) Department vide their U.O.No.3047/228/FR.II/08, dated 23.4.2008
8. The Director of Health, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Health, A.P., Hyderabad
Copy to :-
The District Medical and Health Officer, Mahabubnagar
The Finance (FR.II) Department
SF / SCs.,

// forwarded :: by order //

SECTION OFFICER